

Message Text

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ORIGIN OES-04

INFO OCT-01 EUR-08 EA-06 ISO-00 SS-15 L-01 H-01 COME-00

PCH-02 COA-01 INT-05 DLOS-03 CG-00 DOTE-00 EB-04

CIAE-00 INR-05 NSAE-00 RSC-01 TRSE-00 AGR-05 IO-04

SSO-00 INRE-00 /066 R

DRAFTED BY OES/OFA:WLSULLIVAN:LK

APPROVED BY T - MR. MAW

L/OES:MR. OXMAN (DRAFT)

D/LOS:MR. MOORE (DRAFT)

H:MR. GOLDBERG (DRAFT)

COMM/NOAA:MR. WALLACE (DRAFT)

EUR:MR. WOLFE (DRAFT)

EA/J:MR. DUNKERLEY (DRAFT)

S/S:WHLUERS

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TO AMEMBASSY BERLIN IMMEDIATE

AMEMBASSY BONN IMMEDIATE

AMEMBASSY BUCHAREST IMMEDIATE

AMEMBASSY MOSCOW IMMEDIATE

AMEMBASSY MADRID IMMEDIATE

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AMEMBASSY SOFIA IMMEDIATE

AMEMBASSY TOKYO IMMEDIATE

AMEMBASSY WARSAW IMMEDIATE

INFO AMEMBASSY COPENHAGEN

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY REYKJAVIK

AMCONSUL HALIFAX BY POUCH

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C O N F I D E N T I A L STATE 241087

E.O. 11652: GDS

TAGS: EFIS, OCON, ICNAF, XN, US

SUBJECT: ICNAF SPECIAL MEETING

REF: STATE 153340

PERSONAL FOR AMBASSADOR FROM UNDER SECRETARY MAW

SUMMARY: THE U.S. IS FACING A MOST DIFFICULT PROBLEM - POSSIBLE PASSAGE OF LEGISLATION UNILATERALLY ESTABLISHING A 200 MILE FISHERIES JURISDICTION. THIS HAS VERY ADVERSE IMPLICATIONS FOR OUR LOS POSITION AND OTHER INTERESTS. THE PRESIDENT, SECRETARY, AND OTHERS HAVE BEEN VIGOROUSLY OPPOSING THIS LEGISLATION. BECAUSE OF THE FOCUS ON ICNAF, AND THE TIMING OF THE ICNAF MEETING AND THE RECONVENING OF CONGRESS, SUCCESS OF THE ICNAF MEETING IN RESOLVING CRITICAL PROBLEMS FOR AMERICAN FISHERMEN MAY BE A KEY FACTOR IN DEFEATING THE LEGISLATION. IF THIS IS NOT ACCOMPLISHED, WE CAN EXPECT SERIOUS BILATERAL RELATIONS PROBLEMS WITH A

NUMBER OF HOST GOVERNMENTS. I REQUEST YOUR PERSONAL HELP IN THIS EFFORT.

1. BY UNCLASSIFIED SEPTTEL ACTION HALIFAX THERE IS TRANSMITTED A U.S. MEMORANDUM TO ICNAF FOR THE SPECIAL MEETING OF ICNAF PANEL 5 (AND PANEL 4) TO BE HELD IN MIAMI NOVEMBER

12-15.

2. FOR ACTION ADDRESSEES: I WOULD APPRECIATE IT IF YOU WOULD PRESENT AN ADVANCE COPY OF THE ABOVE-MENTIONED MEMORANDUM TO APPROPRIATE OFFICIALS OF THE HOST GOVERNMENT. IN DOING SO, I REQUEST THAT YOU EMPHASIZE THE FOLLOWING POINTS:

A. IT IS PARTICULARLY CRITICAL THAT THIS ICNAF MEETING BE SUCCESSFUL. IN SPITE OF THE RAPID STRIDES THAT ICNAF

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HAS MADE IN DEALING WITH THE LARGE-SCALE PROBLEMS IN ICNAF SUBAREA 5 (OFF NEW ENGLAND) AND STATISTICAL AREA 6 (OFF MID-ATLANTIC) IN RECENT YEARS, THERE REMAIN IMPORTANT PROBLEMS FOR THE CONSERVATION OF THE DEPLETED STOCKS OF MOST CONCERN TO AMERICAN FISHERMEN: HADDOCK AND YELLOWTAIL FLOUNDER. THE UNITED STATES REGRETS THAT THESE PROBLEMS WERE NOT

RESOLVED AT THE 1974 ICNAF ANNUAL MEETING, AND HAS PRESENTED TO ICNAF PROPOSALS FOR THEIR RESOLUTION AT THE SPECIAL MEETING (THESE PROPOSALS HAVE BEEN DISTRIBUTED PREVIOUSLY TO ICNAF MEMBERS).

B. IN ADDITION, IT IS NOW OBVIOUS SINCE THE 1974 ANNUAL MEETING THAT THE PROBLEM REGARDING THE OVER-FISHED HERRING STOCKS IS MORE SERIOUS THAN THOUGHT AT THE ANNUAL MEETING. MOREOVER, IT IS CLEAR THAT AN EXTREMELY SERIOUS QUESTION NOW EXISTS AS TO THE VIABILITY OF THE ICNAF REGULATORY SYSTEM BECAUSE OF THE NUMEROUS VIOLATIONS WHICH HAVE COME TO LIGHT IN RECENT MONTHS. THE U.S. HAS ALSO PRESENTED TO ICNAF PROPOSALS CONCERNING HERRING AND IN A GENERAL WAY ENFORCEMENT.

C. THE ICNAF REGULATORY SYSTEM FOR THE REGION ON THE U.S. COAST IS THE MOST MODERN, COMPLEX, AND INNOVATIVE SYSTEM OF INTERNATIONAL FISHERIES MANAGEMENT IN THE WORLD TODAY. IT HOLDS THE PROMISE OF REDRESSING THE SERIOUS OVER-FISHING PROBLEMS WHICH HAVE RESULTED FROM TOO INTENSIVE FOREIGN FISHING EFFORT IN THIS REGION, BUT WILL COLLAPSE UNLESS ICNAF MEMBERS STRICTLY ADHERE TO IT AND ENFORCE IT VIGOROUSLY, BOTH NATIONALLY AND THROUGH THE SCHEME OF INTERNATIONAL INSPECTION.

D. THE US HAS MADE KNOWN ITS CONCERNS ABOUT THIS SITUATION

TO THE ICNAF MEMBERS ON MANY OCCASIONS IN RECENT YEARS. THESE CONCERNS STEM IN LARGE PART FROM ICNAF ACTIONS BEING TOO LITTLE AND TOO LATE. THE ONES WHO HAVE SUFFERED MOST FROM THIS LACK ARE THE COASTAL U.S. FISHERMEN WHO HAVE LONG DEPENDED ON THESE FISHERIES. AL-

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THOUGH RAPID STRIDES HAVE BEEN MADE IN THE LAST YEAR, THE PRESENT DEFICIENCIES WITH REGARD TO HADDOCK, YELLOWTAIL FLOUNDER, HERRING, AND ENFORCEMENT STILL HOLD OUT THE PROMISE THAT THE ENTIRE ICNAF SYSTEM IS STILL BEST CATEGORIZED AS TOO LITTLE AND TOO LATE.

E. THE AMERICAN COMMERCIAL FISHERMEN, SPORT FISHERMEN, AND CONSERVATIONISTS SUBSCRIBE TO THIS VIEW. THEY HAVE LONG VIEWED THE EXISTING INTERNATIONAL COOPERATIVE FISHERY MANAGEMENT MECHANISMS AS BEING INCAPABLE OF DEALING WITH THE PROBLEMS. THEY SINGLE OUT ICNAF IN PARTICULAR BECAUSE OF THE LARGE NUMBER OF COUNTRIES INVOLVED AND BECAUSE EVEN THE RAPID STRIDES ICNAF HAS MADE HAVE IN MOST INSTANCES NOT APPEARED TO KEEP PACE WITH THE DEVELOPING PROBLEMS. THUS THE PRESSURES FOR UNILATERAL EXTENSION

OF FISHERIES JURISDICTION TO 200 MILES ARE EXTREMELY STRONG IN THE PORTION OF THE COUNTRY BORDERING ICNAF SA5

AND SA6, AND EVEN THOSE FROM OTHER PARTS OF THE COUNTRY OFTEN CITE IT AS THE PRIMARY EXAMPLE OF THE NEEDS FOR THE 200 MILE LEGISLATION.

F. THE PRESSURES FOR PASSAGE OF THE 200 MILE LEGISLATION ARE THE STRONGEST THEY HAVE EVER BEEN. THE ADMINISTRATION HAS MANAGED THROUGH A STRENUOUS EFFORT TO AVOID THE BILL COMING TO A VOTE AND HAS ERODED THE SUPPORT FOR IT SOMEWHAT. NEVERTHELESS, IT IS NOT YET CLEAR WHETHER THE BILL CAN BE VOTED DOWN IN THE SENATE, AND IT APPEARS PROBABLE IT WILL PASS THE HOUSE IF IT PASSES THE SENATE.

G. IT APPEARS PROBABLE THAT THE BILL WILL COME TO A VOTE IN THE SENATE SHORTLY AFTER IT RECONVENES ON NOVEMBER 18, I.E. THE WEEK AFTER THE ICNAF SPECIAL MEETING. IF THE ICNAF MEETING IS SUCCESSFUL IN DEALING WITH THE HADDOCK, YELLOWTAIL FLOUNDER, HERRING, AND ENFORCEMENT PROBLEMS, THIS WILL MATERIALLY ASSIST IN DEFEATING THE BILL. A FAILURE OF THE ICNAF MEETING MAY ENSURE PASSAGE OF THE BILL.

H. BOTH THE ADMINISTRATION AND THE PROPONENTS OF THE 200 MILE LEGISLATION SHARE THE CONCERN ABOUT THE OVER-FISHING
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AND THE HARM IT HAS DONE TO THE AMERICAN COASTAL FISHERMEN. BUT THE USG, AS HAS BEEN MADE CLEAR IN NUMEROUS RECENT COMMUNICATIONS TO CONGRESS FROM PRESIDENT FORD, SECRETARY KISSINGER, AND OTHERS, CONTINUES TO BELIEVE THAT SUCH MATTERS SHOULD BE RESOLVED THROUGH INTERNATIONAL AGREEMENT IN THE CURRENT LAW OF THE SEA CONFERENCE. WE BELIEVE THAT OTHER ICNAF MEMBERS SHARE THIS VIEW. THEREFORE IT IS INCUMBENT UPON ALL OF US TO SEEK SOLUTIONS TO EXISTING PROBLEMS ON AN INTERIM BASIS SO THAT THE WORK OF THE LAW OF THE SEA CONFERENCE CAN PROCEED TO A TRULY INTERNATIONAL AND LASTING SOLUTION. I CAN ASSURE YOU THAT THE U.S. DELEGATION TO THE ICNAF SPECIAL MEETING WILL WORK TO THIS END AND I WISH YOU TO EMPHASIZE THIS STRONGLY TO THE HOST GOVERNMENTS. IF THIS IS TO WORK, THE INTERIM ICNAF SOLUTION MUST ACHIEVE CONSERVATION OF THE DEPLETED RESOURCES AND APPROPRIATE PREFERENCES FOR THE COASTAL FISHERMEN WHO HAVE SUFFERED FROM THE OVERFISHING WHICH THEY HAVE NOT CAUSED. I BELIEVE THAT AN ICNAF AGREEMENT AS INDICATED IN THE U.S. PROPOSALS WILL SERVE TO PROTECT THE INTERESTS OF ALL CONCERNED IN THE LONG RUN.

3. FOR LONDON: ALTHOUGH UK NOT MEMBER OF ICNAF PANEL 5,

THE VIOLATION OF THE ICNAF HADDOCK REGULATIONS BY BRITISH VESSELS HAS CAUSED AN EXTREME REACTION AMONGST NEW ENGLAND FISHERMEN AND ICNAF CHAIRMAN ERIC GILLETTE,

FISHERIES SECRETARY FOR SCOTLAND, WILL BE PRESIDING AT ICNAF SPECIAL MEETING. GILLETTE HAS PERSONALLY BEEN VERY HELPFUL DURING RECENT ICNAF MEETINGS. I SUGGEST YOU REVIEW ABOVE WITH APPROPRIATE AUTHORITIES.

4. FOR OTTAWA: U.S. FISHERIES OFFICIALS HAVE BEEN IN CLOSE CONTACT WITH CANADIAN FISHERIES OFFICIALS ON THESE PROBLEMS (CANADA IS MEMBER OF PANEL 5), AS WELL AS SIMILAR ONES OFF CANADIAN COAST WHICH WILL BE TAKEN UP AT ANOTHER ICNAF SPECIAL MEETING IN JANUARY. PLEASE INFORM CANADIAN OFFICIALS OF THIS ACTION.

5. FOR OTHER INFO ADDRESSEES: ALTHOUGH NOT MEMBERS OF ICNAF PANEL 5, REPS FROM HOST GOVERNMENT MAY BE PRESENT AT SPECIAL MEETING. YOU MAY WISH TO REVIEW US CONCERNS WITH CONFIDENTIAL

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APPROPRIATE OFFICIALS.

6. PLEASE NOTE THAT EUROPEAN PARTICIPANTS IN NOVEMBER ICNAF SPECIAL MEETING WILL LIKELY BE AWAY FROM CAPITALS THE PREVIOUS WEEK AT A NEAFC SPECIAL MEETING IN HAMBURG WHICH WILL BE DEALING WITH SOME CRUCIAL FISHERIES PROBLEMS IN THE NORTHEAST ATLANTIC.

7. I WOULD APPRECIATE A COMPLETE REPORT ON THESE REPRESENTATIONS ASAP. I CANNOT EMPHASIZE TOO STRONGLY THE SERIOUSNESS OF THIS MATTER, PARTICULARLY CONSIDERING THE TIMING OF THE ICNAF MEETING AND THE LIKELY SENATE VOTE ON THE 200 MILE BILL. INGERSOLL

NOTE BY OC/T: POUCHED HALIFAX.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, LAW, FISHERIES MEETINGS, TWO HUNDRED MILE LIMIT
Control Number: n/a
Copy: SINGLE
Draft Date: 01 NOV 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE241087
Document Source: CORE
Document Unique ID: 00
Drafter: WLSULLIVAN:LK
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740313-0972
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741177/aaaacnvm.tel
Line Count: 262
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: STATE 153340
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 16 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 APR 2002 by kelleyw0>; APPROVED <08 JUL 2002 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ICNAF SPECIAL MEETING
TAGS: EFIS, OCON, XN, US, ICNAF
To: BERLIN MULTIPLE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005